

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America)

v.)

ROBERT LAMONT MADDOX)

Case No: 5:05CR216

USM No: 21538-058

Date of Previous Judgment: April 16, 2007

Victoria Jayne

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in 51 months (Counts the last judgment issued) of 60 months is reduced to One and Three only).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>25</u>	Amended Offense Level: <u>23</u>
Criminal History Category: <u>VI</u>	Criminal History Category: <u>VI</u>
Previous Guideline Range: <u>110</u> to <u>137</u> months	Amended Guideline Range: <u>92</u> to <u>115</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

Defendant is serving a consecutive sentence in Count Two for a conviction under 18 U.S.C. § 924(c), which is not affected by the instant order.

Except as provided above, all provisions of the judgment dated April 16, 2007, shall remain in effect.

IT IS SO ORDERED.

Order Date: April 16, 2010

Effective Date: _____
(if different from order date)



Richard L. Voorhees
United States District Judge

